## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

| UNITED STATES OF AMERICA,  |  |
|--|--|
| Plaintiff,   | 8:13CR384  |
| vs. NICHOLAS MEJIA-CRUZ,   | DETENTION ORDER PENDING TRIAL  |
| Defendant.   |  |
|  | ring pursuant to 18 U.S.C. § 3142(f) of the Bail ned defendant detained pursuant to 18 U.S.C.  |
| conditions will reasonably assure the X  By clear and convincing evidence the will reasonably assure the safety of   | se it finds: the that no condition or combination of the appearance of the defendant as required. That no condition or combination of conditions of any other person or the community. |
| Conviction is a serious of years imprisonment.  (b) The offense is a crime of the offense involves a result of the offense involves  | d includes the following: the offense charged: Removed Alien After Aggravated Felony crime and carries a maximum penalty of 20 of violence.  |
| affect whether to the defendant of the d |  |

|   |              | I he defendant has a history relating to alcohol abuse.            |
|---|--------------|--|
|   | _            | X The defendant has a significant prior criminal record.           |
|   | _            | The defendant has a prior record of failure to appear at court     |
|   | _            | proceedings.   |
|   | (b) A        | at the time of the current arrest, the defendant was on:           |
|   | (3)          | Probation  |
|   | _            | Parole   |
|   | _            | Supervised Release   |
|   | _            | Release pending trial, sentence, appeal or completion of           |
|   | _            | sentence.  |
|   | (c) C        | Other Factors:   |
|   | ` '          | X The defendant is an illegal alien and is subject to deportation. |
|   | _            | The defendant is a legal alien and will be subject to              |
|   | _            | deportation if convicted.  |
|   |              | X The Bureau of Immigration and Customs Enforcement (BICE)         |
|   | _            | has placed a detainer with the U.S. Marshal.                       |
|   |              | Other:   |
| Y | (4) The nat  | ure and seriousness of the danger posed by the defendant's release |
|   |              | Prior deportation in 2007. Felony conviction – Robbery (Felony) in |
|   |              | riioi deportation in 2007. Felony conviction – Robbery (Felony) in |
|   | <u>2007.</u> |  |

## D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 30th day of October, 2013.

BY THE COURT:

s/ F.A. Gossett, III United States Magistrate Judge